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that legislation is one of the proper, even, necessary methods of administration.

From both the legal and historical standpoint the book contains many things that are richly suggestive. There is very little in our legal or political literature so penetrating as for example the exposition of the effects of confinement of the principle of separation of powers to the central government.

The scheme seems not to permit of the treatment of some subjects which no doubt would have been considered in a more extensive treatise, such as the processes of the central administration, *ex parte* administrative proceedings, contests before the patent office, protests to the land office, etc. The book remains to be written which shall analyze the decisions of the Comptroller of the Treasury, those of the Commissioners of Internal Revenue, of the Board of General Appraisers, and similar administrative tribunals though it is to be hoped that the time is not far distant when they will be given as satisfactory treatment as the Interstate Commerce Commission and its decisions have recently received.

Professor Goodnow's book is prepared for the use of "students of politics" and should prove of great value to such students as to students of history and public law generally. It is not written for the legal profession directly, but to those lawyers who seek more than a working tool in their profession, a true appraisal of the administrative law, it will appeal. The writing of such a work moreover is a signal public service. This will be thoroughly appreciated by any one who has been a close witness of the problems which have troubled the national government during the past year.

AMERICAN RAILROAD RATES. Walter Chadwick Noyes. Boston: Little, Brown, and Company. 1905. pp. 277.

This timely little book is a masterpiece in its sphere. Whether the reader be in the ranks of the beseigers or the defenders of the railroads, he would wish his adversary to read this book before continuing this debate. He would feel that the fog would then be dispelled and the issues clearly defined. That is the great value and the charm of the work—its simplicity and its fairness to both sides to the controversy.

The title page states that the author is a Connecticut Judge, the President of a railroad, and the author of other legal treatises. Every page bears the hall-mark of the author's broad preparation for his task and gives evidence of his mature and certain knowledge of the subject in hand. The view-point of the judge is everywhere evident, and it is indeed refreshing to the wearied student of recent broadsides of the demagogues, and special pleadings of the railroads, to hear the evidence and arguments pro and con so ably and dispassionately summed up by an impartial umpire. No less effective is the air of reality and vitality lent to this highly technical subject by the telling examples and pat illustrations of every abstract principle. The railroad president in the author seems to be a repository of such concrete cases. No sooner does one, as a mere theorist, announce his panacea, than the graduate traffic manager crumples these theories by telling you that this very scheme was tried and found wanting on the Mobile and

Ohio railroad or the state-operated roads of Prussia, or perhaps on his own railroad. The legal scholar and writer is evident in the nice vocabulary, and terse, forceful periods. These crisp, telling sentences are fired at one as from a gatling gun, and with the precision of a sharp-shooter. They hit the bull's-eye every time.

The author subdivides his subject into ten chapters. The first four describe the evolution of rates—the principles underlying them as a toll and as a charge for carriage; the limitations set to rates on the one hand by the ability of the public to pay, and on the other hand by the ability of the carrier to conduct its business on its revenues; the elements contributing to the making of rates; and finally the function of classification and tariffs. After this thorough discussion of fundamental principles he devotes two chapters to the subjects of discrimination, competition, and combination.

Then follows a historical résumé of the movement of rates from the time of the civil war down to the present, and a comparison of American railroad rates with those in foreign countries. The ninth chapter concerns itself with an account of State regulation of rates, while the concluding chapter has for its theme the all-absorbing question of Federal Regulation.

Like an able general Judge Noyes brings up all his reserves for the final onslaught. From each of the other nine chapters he seems to have been surveying the field of this final one. In each he has marshalled a little regiment of facts and principles which stubbornly resisted all attack. At the end he summons a legion that sweeps all opposition before it in a complete rout. This last is decidedly the best chapter in the volume, and its dissection and criticism of the federal legislation espoused by the embryo Solons of the Lower House are as convincing as they are merciless. It is to be regretted that so many of our congressional representatives are so much engaged as to be unable to study this single chapter. Every reader will deplore the fact that the widows and toilers, whose savings are invested in railroad securities through the medium of the savings banks, cannot also read and ponder it well. It is quite as regrettable that the few of the more arrogant railroad magnates cannot be induced to read this entire treatise. If they could, they would surely realize that their stewardship of such investments demanded of them a statesmanlike attitude beyond that of blind opposition to all change and rather in the direction of an acquiescence in some conservative measure.

The pages on rate-making are a most successful effort at an analysis of a subject scarcely susceptible of analysis. Not one traffic manager in ten, the country over, can state his reasons for making given rates. The writer seems to have syndicated the aggregate knowledge of this "submerged tenth" and to have marshalled it in orderly array.

The weak links in the chain are the eighth and ninth chapters, in which an entirely unsuccessful attempt at condensation has been made. The book would actually be the better and stronger if they had been omitted.

GOVERNMENT REGULATION OF RAILWAY RATES. By Hugo R. Meyer. New York: The Macmillan Co. 1905. pp. xxvii, 486.